

Matrix of Disqualifying Criminal Convictions Under 45 C.F.R. 98.43(c)(1)

<p align="center">45 C.F.R. 98.43(c)(1)(iv)(B) Has been convicted of a felony consisting of . . . Child abuse or neglect.</p>		
<p align="center">45 C.F.R. 98.43(c)(1)(iv)(C) Has been convicted of a felony consisting of . . . A crime against children, including child pornography.</p>		
<p align="center">45 C.F.R. 98.43(c)(1)(v) Has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.</p>		
CRIME	STATUTE	CLASS
Sexual exploitation of minor	17-A §282.	Any
Dissemination of sexually explicit material	17-A §283.	Any
Possession of sexually explicit material	17-A §284	Any
Criminal restraint by parent	17-A §303	Class C
Endangering the welfare of a child	17-A §554	Any
Aggravated criminal forced labor	17-A §305	Class B
Abandonment of child	17-A §553	Class C
Unlawful sexual contact	17-A §255-A(1):	Any
	(E)	
	(E-1)	
	(F)	
	(F-1)	
	(F-2)	
	(M)	
	(N)	
	(S)	
	(T)	
	(B)	
	(C)	
	17-A §253(2):	
	(G)	
(H)		
Unlawful transfer of handgun to minor	17-A §554-B	Class C

Sexual misconduct with a child under 14 years of age	17-A §258	Any
Solicitation of a child to commit a prohibited act	17-A §259-A	Class C
Visual sexual aggression against child	17-A §256	Any
Sexual abuse of minors	17-A §254	Any
Solicitation of a child to engage in prostitution.	17-A §259-B	Any
Prohibited contact with a minor; sex offender restricted zone.	17-A §261	Any
Aggravated sex trafficking	17-A § 852(1)(B)	Any
Abandonment of child	17-A §553	Class D
Nonsupport of dependents	17-A §552	Class E
Unlawful transfer of a firearm other than a handgun to a minor	17-A §554-A	Class D
Patronizing prostitution of minor or person with mental disability	17-A §855(1)	Class C Class D
Criminal penalty (for violation of order issued pursuant to 22 § 4036(1)(F-1))	22 § 4036-A	Any (Class D by definition)
Domestic violence reckless conduct	17-A §211-A	Any
Aggravated reckless conduct	17-A §213	Any
Criminal restraint	17-A §302	Class C
Endangering welfare of dependent person	17-A §555	Class D
Terrorizing	17-A §210	Any
Stalking	17-A §210-A.	Any
Criminal threatening	17-A §209	Any
Criminal restraint	17-A §302	Any

45 C.F.R. 98.43(c)(1)(iv)(E)		
Has been convicted of a felony consisting of . . . A crime involving rape or sexual assault.		
CRIME	STATUTE	CLASS
Gross sexual assault	17-A §253	Any
Unlawful sexual contact	17-A §255-A.	Class A Class B Class C
45 C.F.R. 98.43(c)(1)(iv)(F)		
Has been convicted of a felony consisting of . . . Kidnapping.		
CRIME	STATUTE	CLASS
Kidnapping	17-A §301.	Any
Criminal restraint	17-A §302	Class C
Criminal restraint by parent	17-A §303	Class C
Criminal forced labor	17-A §304	Any
45 C.F.R. 98.43(c)(1)(iv)(G)		
Has been convicted of a felony consisting of . . . Arson.		
CRIME	STATUTE	CLASS
Arson	17-A §802	Any
Causing a catastrophe	17-A §803-A	Any
Aggravated criminal mischief	17-A §805.	
45 C.F.R. 98.43(c)(1)(iv)(H)		
Has been convicted of a felony consisting of . . . Physical assault or battery.		
CRIME	STATUTE	CLASS
Domestic violence assault	17-A §207-A.	Class C
Aggravated assault	17-A §208.	Any
Elevated aggravated assault	17-A §208-B	Any

Elevated aggravated assault on pregnant person	17-A §208-C.	Any
Domestic violence aggravated assault	17-A §208-D.	Any
Domestic violence elevated aggravated assault	17-A §208-E	Any
Domestic violence elevated aggravated assault on pregnant person	17-A §208-F	Any
Manslaughter	17-A §203	Any
Aggravated reckless conduct	17-A §213	Any
Robbery	17-A §651	Any
Assault on an officer	17-A § 752-A	Any
Assault on an emergency medical care provider	17-A § 752-C	Any
Assault on a firefighter	17-A § 752-E	
45 C.F.R. 98.43(c)(1)(iv)(D)		
Has been convicted of a felony consisting of . . . Spousal abuse.		
CRIME	STATUTE	CLASS
Violation (of a protective order entered in a protection from abuse case pursuant to 19-A §4007)	19-A §4011	Class C
Domestic violence assault	17-A §207-A.	Class C
Domestic violence criminal threatening	17-A §209-A	Class C
Domestic violence reckless conduct	17-A §211-A	Class C
Domestic violence terrorizing	17-A §210-B	Class C
Domestic violence stalking	17-A §210-C	Class C
Domestic violence reckless conduct	17-A §211-A	Class C

45 C.F.R. 98.43(c)(1)(iv)(A)		
Has been convicted of a felony consisting of . . . Murder , as described in [18 U.S.C. § 1111]. 18 U.S.C. § 1111: Murder is the unlawful killing of a human being with malice aforethought.		
CRIME	STATUTE	CLASS
Murder	17-A §201	Murder is its own class under Maine law.

45 C.F.R. 98.43(h)(1)		
<u>“. . . conviction for crimes . . . that bear upon the fitness of an individual to provide care for and have responsibility for the safety and well-being of children committed during the preceding ten years.</u>		
Assault	17-A §207	Any
Domestic violence assault	17-A §207-A	Any
Assault while hunting	17-A §208-A	Any
Domestic violence criminal threatening	17-A §209-A	Any
Domestic violence reckless conduct	17-A §211-A	Any
Domestic violence terrorizing	17-A §210-B	Any
Domestic violence stalking	17-A §210-C	Any
Reckless conduct	17-A §211	Any

45 C.F.R. 98.43(c)(1)(iv)		
Has been convicted of a felony consisting of . . . a drug-related offense committed <u>during the preceding five years.</u>		
CRIME	STATUTE	CLASS
Unlawful trafficking in scheduled drugs	17-A §1103	Class B Class C
Trafficking in or furnishing counterfeit drugs	17-A §1104	Class C
Aggravated trafficking of scheduled drugs	17-A §1105-A	Class A Class B Class C
Aggravated trafficking or furnishing of counterfeit drugs	17-A §1105-B.	Class B
Aggravated furnishing of scheduled drugs	17-A §1105-C.	Class B Class C
Aggravated cultivating of marijuana	17-A §1105-D	Class A Class B

		Class C
Aggravated unlawful operation of a methamphetamine laboratory	17-A §1105-E.	Any (Class A by definition)
Unlawfully furnishing scheduled drugs	17-A §1106	Class C
Unlawful possession of scheduled drugs	17-A §1107-A	Class B Class C
Acquiring drugs by deception	17-A §1108.	Class C
Stealing drugs	17-A §1109	Class C
Cultivating marijuana	17-A §1117	Class B Class C
Illegal importation of scheduled drugs	17-A §1118.	Any
Aggravated illegal importation of scheduled drugs	17-A §1118-A.	Any
Unlawful operation of a methamphetamine laboratory	17-A §1124	Any (Class B by definition)
Trafficking in prison contraband	17-A §757	Class C

Conviction for similar crimes in another jurisdiction will likewise result in disqualification.